

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

ANTHONY HAYES, )  
v. )  
Plaintiff, )  
STATE OF TENNESSEE, et al., )  
Defendants. )  
No.: 3:06-cv-158  
(VARLAN/GUYTON)

## **MEMORANDUM AND ORDER**

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. §§ 1983 and 2000cc. The matter is before the court on various non-dispositive motions filed by the parties.

The court previously denied without prejudice the defendants' motion for summary judgment, finding that a ruling on the merits was not in the best interests of justice at that time because of pending discovery matters. The court gave defendants additional time to respond to plaintiff's discovery requests. The defendants have responded to plaintiff's discovery requests and now move to renew their original motion for summary judgment with supporting documents. The motion to renew [Doc. 79] is **GRANTED**. By separate Memorandum, the defendants' motion for summary will be granted.

Plaintiff has filed a motion to renew and reconsider pretrial motions. The court previously denied plaintiff's motion to appoint counsel. Plaintiff's motion for class certification and his motion to amend the complaint were denied without prejudice and

subject to renewal, pending the resolution of the defendants' original motion for summary judgment, and plaintiff now moves to renew those motions, as well as his motion to appoint counsel. The court having granted the defendants' motion for summary judgment, plaintiff's motion to renew and reconsider pretrial motions [Doc. 75] is **DENIED** as **MOOT**.

Plaintiff has filed a motion for leave to file a supplemental pleading in opposition to the motion for summary judgment. The motion [Doc. 74] is **GRANTED**. The Clerk is **DIRECTED** to file the Declaration of Anthony Hayes, which is attached as an exhibit to the motion for leave to file a supplemental pleading.

Plaintiff has filed a motion for an order that the defendants' responses and objections to discovery are insufficient and for an order compelling further responses. The court finds the defendants' responses and objections are sufficient and reasonable, and the plaintiff's motion [Doc. 76] is **DENIED**.

**E N T E R :**

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE